

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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PNC Bank, National Association

In Re:

Francis J. Gillen,

Debtor.



Order Filed on March 22, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-11990 ABA

Adv. No.:


Hearing Date: 3/29/2017 @ 9:00 a.m..

Judge: Andrew B. Altenburg Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: March 22, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Francis J. Gillen

Case No: 17-11990 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, BANK OF AMERICA, N.A., Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 4 Kenneth Court, Sewell, NJ, 08080, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Seymour Wasserstrum, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 13, 2018, including arrears only through January 31, 2018, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due October 2017 through January 2018 for a total post-petition default of \$8,724.50, (4 @ \$2,850.90; less suspense of \$2,679.10); and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make payments per trial modification beginning February 1, 2018; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the trial loan modification; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the loan modification is unsuccessful, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that the Creditor does not waive its rights to any pre- or post-petition arrears in the event a loan modification is unsuccessful, or if any payment is more than 30 days late; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Francis J Gillen
Debtor

Case No. 17-11990-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 22, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2018.

db +Francis J Gillen, 4 Kenneth Court, Sewell, NJ 08080-4115

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 24, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 22, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Seymour Wasserstrum on behalf of Debtor Francis J Gillen mylawyer7@aol.com, ecf@seymourlaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4